

05043.P003

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lawrence E. Foltzer

Serial No.: 09/819,527

Filed: March 27, 2001

For: METHOD AND APPARATUS FOR  
TRANSMITTING A BIT INTERLEAVED OPTICAL  
DATA STREAM ON AN OPTICAL NETWORK

Assistant Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

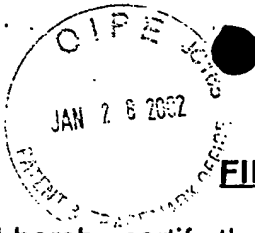
RESPONSE TO NOTICE OF INCOMPLETE REPLY  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date  
Granted) mailed May 25, 2001, and the Notice of Incomplete Reply mailed 9/20/01  
please find enclosed:

- (1) three sheets of Substitute drawings;
- (2) a copy of the Notice of Incomplete Reply;
- (4) a petition for an additional three month extension of time; and
- (5) a check in the amount of \$920.00, the additional fee required for a  
response filed within the fourth month.

COPY OF PAPERS  
ORIGINALLY FILED



# FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20281

on October 25, 2001

Date of Deposit

Angela M. Quinn

Name of Person Mailing Correspondence

Angela M. Quinn

Signature

10-25-01

Date

COPY OF PAPERS  
ORIGINALLY FILED

Serial/Patent No.: 09/819,527

Client: Turin Networks

Title: METHOD AND APPARATUS FOR TRANSMITTING A BIT

BSIZ File No.: 05043.P003

Date Mailed: 10/25/01

Filing/Issue Date: 3/27/01

INTERLEAVED OPTICAL DATA STREAM ON AN OPTICAL NETWORK

Atty/Secty Initials: MJM/amq

Docket Due Date: 7/25/01

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment/Response (\_\_\_\_ pgs.)
- ☐ Appeal Brief (\_\_\_\_ pgs.) (in triplicate)
- ☐ Application - Utility (\_\_\_\_ pgs., with cover and abstract)
- ☐ Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)
- ☐ Application - Design (\_\_\_\_ pgs.)
- ☐ Application - PCT (\_\_\_\_ pgs.)
- ☐ Application - Provisional (\_\_\_\_ pgs.)
- ☐ Assignment and Cover Sheet
- ☒ Certificate of Mailing
- ☐ Declaration & POA (\_\_\_\_ pgs.)
- ☐ Disclosure Docs & Q&A Copy of Invention Signed Letter (\_\_\_\_ pgs.)
- ☒ Drawings: 3 # of sheets includes 3 figures

- ☐ Express Mail No.: 3
- ☐ Information Disclosure Statement & PTO 1449 (\_\_\_\_ pgs.)
- ☐ Issue Fee Transmittal
- ☐ Notice of Appeal
- ☒ Petition for Extension of Time
- ☒ Petition for
- ☒ Postcard
- ☐ Power of Attorney (\_\_\_\_ pgs.)
- ☐ Preliminary Amendment (\_\_\_\_ pgs.)
- ☐ Reply Brief (\_\_\_\_ pgs.)
- ☐ Response to Notice of Missing Parts
- ☐ Small Entity Declaration for Indep. Inventor/Small Business
- ☐ Transmittal Letter, in duplicate
- ☒ Fee Transmittal, in duplicate

☒ Check No. 46160

Amt: 920.00

☐ Check No. \_\_\_\_\_

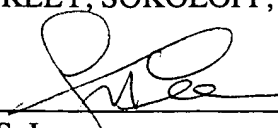
Amt: \_\_\_\_\_

☒ Other: Response to Notice of Incomplete Reply (2 pgs.)  
Copy of Notice of Incomplete Reply (1 pg.)

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: Oct. 25, 2001

  
Suk S. Lee  
Reg. No. 47,745

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

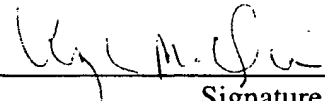
**FIRST CLASS CERTIFICATE OF MAILING**

**(37 C.F.R. § 1.8(a))**

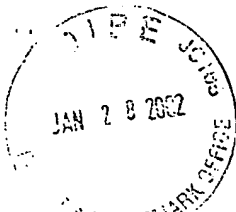
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On 10-25-01  
Date of Deposit

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Name of Person Mailing Correspondence

  
Signature

10-25-01  
Date



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Title: METHOD AND APPARATUS FOR TRANSMITTING A BIT

BSIZ File No.: 05043.P003

Date Mailed: 10/25/01

Filing/Issue Date: 3/27/01

Atty/Secy Initials: MJM/amq

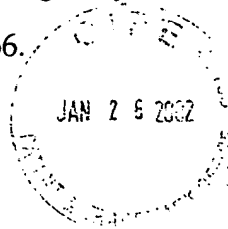
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- ☒ Fee Transmittal, in duplicate

Check No. 46160  
Amt: 920.00

Please charge any debits and credit any overages to our Deposit Account  
Number 02-2666.



Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Dated: October 25, 2001

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Reg. No. 47,745

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(408) 720-8598

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20230  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/AGENT
09/819,527	03/27/2001	Lawrence E. Foltzer	05043 P003

CONFIRMATION NO. 2827

## FORMALITIES LETTER



\*OC000000006584351\*

Michael J. Mallie  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 09/20/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

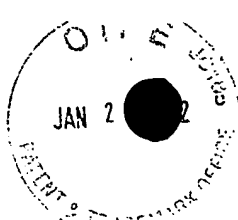
A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 920.00

**Complete if Known:**

Application No. 09/819,527  
Filing Date March 27, 2001  
First Named Inventor Lawrence E. Foltzer  
Group Art Unit Not Yet Assigned  
Examiner Name Not Yet Assigned  
Attorney Docket No. 005043.P003

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
\_\_\_\_\_ Money Order  
\_\_\_\_\_ Other

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 0

**2. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

# FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

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Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 920.00**

\*Reduced by Basic Filing Fee Paid

### SUBMITTED BY:

Typed or Printed Name: Suk S. Lee

Signature: [Signature] Date: Oct. 25, 2001

Reg. Number: 47,745 Telephone Number: (408) 720-8300